

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<b>UNITED STATES OF AMERICA</b>	§	
	§	
<b>v.</b>	§	<b>CRIMINAL NO. 6:05-CR-00036-3</b>
	§	
<b>NORMAN CRAIG WILLIS</b>	§	

**REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

On October 19, 2010, the Court conducted a hearing to consider the government's petition to revoke the supervised release of Defendant, Norman Craig Willis. The government was represented by Alan Jackson, Assistant United States Attorney for the Eastern District of Texas, and Defendant was represented by federal public defender, Ken Hawk.

Defendant originally pleaded guilty to the offense of Felon in Possession of Firearm, a Class D felony. The offense carried a statutory maximum imprisonment term of 10 years. The United States Sentencing Guideline range, based on a total offense level of 21 and a criminal history category of IV, was 57 to 71 months. On February 13, 2006, District Court Judge Michael H. Schneider of the Eastern District of Texas sentenced Defendant to 64 months imprisonment followed by a two-year term of supervised release, subject to the standard conditions of release, plus special conditions to include drug treatment. On February 5, 2010, Defendant completed his period of imprisonment and began service of the supervision term.

In its petition, the government alleges that Defendant violated his condition of supervised release by pleading guilty to the felony offense of Possession of a Controlled Substance in the 114<sup>th</sup> District Court Smith County, Texas, a Grade A violation.

If the Court finds by a preponderance of the evidence that Defendant committed this

violation, a statutory sentence of no more than 2 years of imprisonment may be imposed. 18 U.S.C. § 3583(e)(3). Pursuant to § 7B1.3(a)(1) of the Sentencing Guidelines, violating a condition of supervision by committing a Grade A violation allows the Court to revoke probation or supervised release. U.S.S.G. § 7B3.1(a)(1). Considering Defendant's criminal history category of IV, the Guideline imprisonment range is 24 to 30 months; however, based on the statutory maximum, the actual guideline range is 24 months. U.S.S.G. § 7B1.4(a).

At the hearing, the parties indicated that they had come to an agreement to resolve the petition whereby Defendant would plead true to violating the conditions of supervision by committing the acts as alleged in the government's petition. The parties agreed on the appropriate sentence of 18 months to run consecutively with Smith County Case No. 114-0804-10, with no additional supervised release.

Pursuant to the Sentencing Reform Act of 1984 and the agreement of the parties, the Court **RECOMMENDS** that Defendant, Norman Craig Willis, be committed to the custody of the Bureau of Prisons for a term of imprisonment of 18 months with no supervised release to follow. The Court further **RECOMMENDS** that the place of confinement be FCI Texarkana, Texas.

The parties have waived their right to object to the finding of the Magistrate Judge in this matter so this Report and Recommendation will be presented to District Judge Leonard Davis for adoption immediately upon issuance.

**So ORDERED and SIGNED this 25th day of October, 2010.**

  
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JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE